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| FORM PTO-1390 (Modified) (REV 10-95) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 134 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/701 334 | |
| INTERNATIONAL APPLICATION NO. PCT/DE 99/01541 | INTERNATIONAL FILING DATE MAY 26, 1999 | PRIORITY DATE CLAIMED MAY 28, 1998 | | |
| TITLE OF INVENTION PHARMACEUTICAL PREPARATIONS FOR REGULATING THE RELEASE OF INSULIN BY INFLUENCING THE B-CELL OF THE PANCREATIC ISLETS OF LANGERHANS | | | | |
| APPLICANT(S) FOR DO/EO/US Elmar PESCHKE, Jan-Dirk FAUTECK, Dorothee PESCHKE, Caterina BORIA, Ulrich MUSSHOFF | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). | | | | |
| Items 13 to 18 below concern document(s) or information included: | | | | |
| <ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. 16. <input type="checkbox"/> A substitute specification. 17. <input type="checkbox"/> A change of power of attorney and/or address letter. 18. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail 19. <input type="checkbox"/> Other items or information: | | | | |
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| U.S. APPLICATION NO. (if known) 097701304 | INTERNATIONAL APPLICATION NO. PCT/DE 99/01541 | ATTORNEY'S DOCKET NUMBER 1348 |
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20. The following fees are submitted.:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

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| <input type="checkbox"/> Search Report has been prepared by the EPO or JPO | \$930.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) | \$720.00 |
| <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) | \$790.00 |
| <input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$1,070.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) | \$98.00 |

CALCULATIONS PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$1,000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492 (e)).

20 30

\$0.00

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
|--|--------------|--------------|--------------------------|--------|
| Total claims | 4 - 20 = | 0 | x \$18.00 | \$0.00 |
| Independent claims | 1 - 3 = | 0 | x \$80.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable). | | | <input type="checkbox"/> | \$0.00 |

TOTAL OF ABOVE CALCULATIONS = \$1,000.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

\$0.00

SUBTOTAL = \$1,000.00

Processing fee of \$130.00 for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492 (f)).

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+

\$0.00

TOTAL NATIONAL FEE = \$1,000.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

TOTAL FEES ENCLOSED = \$1,000.00

| | |
|---------------------------|----|
| Amount to be: refunded | \$ |
| charged | \$ |

- A check in the amount of _____ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 19-4675 in the amount of \$1,000.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-4675 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

STRIKER, STRIKER & STENBY
103 EAST NECK ROAD
HUNTINGTON, NEW YORK 11743


SIGNATURE

MICHAEL J. STRIKER

NAME

27233

REGISTRATION NUMBER

NOVEMBER 27, 2000

DATE